

HCBS Final Rule Evidentiary Package

Peaceful Living 5873



Setting information

Setting name: Peaceful Living 5873	ID number: 29417
Street address: 5873 Oxboro Ave. N., Oak Park Heights, MN 55082	Phone: 608-797-1768
Website, if applicable: Peaceful Living Care (https://peacefullivingcare.com/)	Date of site visit: 10/25/2018

Waiver service type

Waiver service	Service type
<input type="checkbox"/> Alternative Care (AC) <input type="checkbox"/> Elderly Waiver (EW) <input type="checkbox"/> Brain Injury (BI) <input checked="" type="checkbox"/> Community Access for Disability Inclusion (CADI) <input type="checkbox"/> Community Alternative Care (CAC) <input type="checkbox"/> Developmental Disabilities (DD)	Customized living

Reason for heightened scrutiny

Prong type	Category	Type of setting
Prong 3 Effects of isolating characteristics	Effect of isolating characteristic	Is one of multiple homes located on the same street or adjoining property that shares programming activities Multiple same street.

Note: The term people/person (resident for residential settings) refers to people who receive Medicaid HCBS waiver service(s).

General summary

Peaceful Living 5873 is in Oak Park Heights, a small city of about 4,000 people located along the St. Croix River which boards Minnesota and Wisconsin. The setting is a single-family home in a residential neighborhood. A city park and several restaurants are nearby. The setting serves three people under the Customized Living waiver service and is on the same street as another setting operated by the same provider (Peaceful Living 5861).

Customized living provider standards/qualifications

Licensure requirements and other state regulations for customized living services clearly distinguish these services/settings from institutional licensure or regulations.

Customized living services are provided in housing with services establishments with the service provider directly licensed as a comprehensive home care provider by the Minnesota Department of Health. Customized living services provide an individualized package of regularly scheduled health-related and supportive services provided to a person who resides in a qualified, registered housing with services establishment.

Customized living service definitions that support the setting requirements

Customized living (CL) and 24-hour CL services include component services designed to meet the person's assessed needs and goals. Individualized CL services may include supervision, home care aide tasks (e.g., assistance with activities of daily living), home health aide task (e.g., delegated nursing tasks), home management tasks, meal preparation and service, socialization, assisting enrollees with arranging meetings and appointments, assisting with money management, assisting participants with scheduling medical and social services, and arranging for or providing transportation. If socialization is provided, it must be part of the service plan, related to established goals and outcomes and not diversional or recreational in nature.

For more details about the component services, including what is covered and distinctions between each see [Customized Living Component Service Definitions, DHS-6790H \(PDF\)](https://edocs.dhs.state.mn.us/lfserver/Public/DHS-6790H-ENG) (<https://edocs.dhs.state.mn.us/lfserver/Public/DHS-6790H-ENG>).

Minnesota's Community Based Services Manual (CBSM) provides the requirements for [customized living services](http://www.dhs.state.mn.us/main/id_001787) (http://www.dhs.state.mn.us/main/id_001787).

Prong 3 settings

Meaningful distinction between colocated settings

States must submit strong evidence that the setting presumed institutional has the characteristics of a HCBS setting and not an institutional setting.

Determination	Summary
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>Describe the extent to which any shared programming (meals, transportation, social/recreational activities) occurs between different homes/buildings and how the provider assures interests and preferences are supported at an individual level:</p> <p>The administrator reported the two settings have limited share programming. The colocated settings do not share meals but may have shared holiday parties or community activities together such as five-dollar movie night. Staff reported that persons go out as a group a few times a year, and generally only for large activities such as the zoo.</p> <p>The administrator reported people living at this setting express what they like to do for activities, sharing with staff in both formal (e.g. regular meetings) and informal (e.g. ad hoc conversations) processes. Staff assist people in making arrangements for activities when requested. For community group activities, each person chooses to participate via a sign-up if they want to go.</p>
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>Describe the extent to which staff are scheduled to work with people at the other colocated setting (s) on the same shift:</p> <p>The administrator reported staff from one setting may work in the colocated setting only during emergencies. Each setting always has a primary staff person assigned but in emergencies the back-up staff person would cover both settings in the same shift. Staff who work in multiple settings receive person-centered cross-training of each person's plan living in the home.</p> <p>Staff reported that they might call on the staff person from the other setting if someone falls or if they need help with transportation. Staff from the other setting would bring person(s) with them from their setting if that person couldn't be left alone.</p>

Determination	Summary
<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> Not applicable	<p>Participants in the setting in question do not have to rely primarily on transportation or other services provided by the other co-located setting (s), to the exclusion of other options</p> <p>The setting has its own vehicle. The administrator reported that they provide a lot of transportation and that there is a need for more accessible transportation options in their area. There is not a regular public bus route nearby. The administrator reported that people use a public taxi or Uber, family transport, and Metro Mobility in addition to the setting's transportation.</p> <p>Staff reported that they help people by training them in using transportation and calling an Uber or taxi for them but that most people use transportation provided by the setting.</p> <p>The administrator reported that transportation needs and options are discussed at the intake meeting and that staff will ride along on Metro Mobility the first few times if the person wants support using it.</p>

Community engagement opportunities and experiences

Peaceful Living regularly meets with people one on one and in a group to identify their preferred community activities. A formal monthly meeting occurs with all people living in the setting to plan activities for the next month. Peaceful Living provides resources to assist in identifying options and ideas about local community events happening that may be found on local cities websites, newspapers, flyers, library, rotary club, and Chamber of Commerce. Staff assist people with researching opportunities when requested. Transportation is available either by Peaceful Living staff or local public transit (Metro Mobility). Setting specific activity calendars are posted monthly and can be flexibly changed throughout the month. People are able to choose to participate in activities on their own or with the group.

A person interviewed reported that they do activities in the community about a twice a week. They reported that staff share activity options during discussions and through the community activities calendar. For group community activities, each person signs up if they want to go. The administrator reported that people go out on their own weekly and in groups monthly, and that some people go out "all the time." Group activities Peaceful Living coordinate based on people's interests and preference include board and card games, stretching group, baking and candy making, Halloween decorating and prep, movies, and grilling / BBQ.

Community activities reported by staff and people include:

- Apple Orchard
- Art Festivals
- Bowling
- Casinos
- Circus
- Church
- Concerts
- Cribbage
- Farmers market
- Golfing
- Halloween
- Hiking
- Movies
- Picnics
- Restaurants
- Shopping
- Swimming
- Tai Chi
- Theatres
- Zoo

HCBS characteristics

This section is a summary of the individual HCBS characteristics required in the HCBS rule. The findings for each characteristic are identified through the setting attestation documentation, on-site observation or both.

HCBS Rule requirement	Compliance status (please select)
<p>Each person at the setting has a written lease or residency agreement in place providing protections to address eviction processes and appeals.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Each person has a lease and is able to request a copy at any time.</p>	Compliant

HCBS Rule requirement	Compliance status (please select)
<p>Each person at the setting has privacy in his/her sleeping or living unit including a lockable door.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>A person interviewed reported that they do not lock their door (by choice).</p> <p>The site visitor observed that bedrooms can be locked from the inside.</p>	Compliant
<p>The setting facilitates that a person, who shares a bedroom, is with a roommate of his or her choice.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Each person has their own individual bedroom. A person interviewed reported that they do not share their bedroom.</p>	Compliant
<p>The setting provides people with the freedom to furnish and decorate their bedroom and living unit within the lease or residency agreement.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>A person interviewed reported that they can decorate their room as they wish. Rooms were observed to have different pictures, art, furniture, and bedding.</p>	Compliant
<p>The setting provides people the freedom and support to control their daily schedules including access to food at any time.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>The person interviewed reported that they were able to decide what to do and when on a daily basis. A person interviewed reported “yes” they can get something to eat outside of mealtime. The administrator reported that people can ask for a snack or get something from the kitchen at any time. Staff interviewed reported that people can ask staff for a snack or help themselves to one at any time.</p>	Compliant

HCBS Rule requirement	Compliance status (please select)
<p>The setting allows people to have visitors at any time.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>A person interviewed reported that they can have visitors.</p> <p>People may have visitors at any time. They reported that persons usually visited with family members at community activities or at the family home.</p>	Compliant
<p>The setting provides opportunities for people to seek employment and work in competitive integrated settings.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Staff reported that no people at this setting are currently employed. The provider regularly explores a person's interest in employment. When a person is interested, Peaceful Living coordinates with the person and their case manager to support the person's employment goal. The administrator reported that staff accommodate people who work by providing/coordinating transportation, helping the person get ready for work, providing flexible service schedules to accommodate the person's work schedule, and ensure that the person practices appropriate hygiene and is punctual. A person interviewed is currently not employed as they retired.</p>	Compliant
<p>The setting is physically accessible to the individual.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>A person interviewed reported that they are able to access all areas of the house and that the setting is accessible.</p>	Compliant

<p>The setting provides people opportunities to access and engage in community life.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>An administrator reported that persons participate in a variety of community activities. Staff reported that persons at this setting do community activities with their family or as a group.</p> <p>See community engagement section above for more information.</p>	Compliant
<p>The setting supports the person's control of personal resources.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>A person interviewed reported that they can access their resources most of the time; sometimes they ask staff to hold on to it for them.</p>	Compliant
<p>The setting ensures people's right to privacy.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input type="checkbox"/> Observation made during on-site visit</p>	Compliant
<p>The setting ensures people's dignity and respect.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>The site visitor reported that persons were appropriately dressed, and that staff used persons' names and seemed willing to accommodate individual preferences.</p>	Compliant

<p>The setting ensures people’s freedom from coercion and restraint.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>Staff reported that there may be restrictions on coming and going for safety reasons, according to a person’s care plan which includes a HCBS rights modification. The administrator reported that Peaceful Living 5873 has a resident sign-out and sign-in log and the main outside doors at the setting are alarmed but not locked as a person is an “eloper.”</p>	Compliant
<p>The setting optimizes individual initiative, autonomy, and independence in making life choices, including daily schedule and with whom to interact.</p> <p><input checked="" type="checkbox"/> Compliant documentation submitted with attestation</p> <p><input checked="" type="checkbox"/> Observation made during on-site visit</p> <p>A person interviewed reported that they can decide for themselves what to do on a daily basis. People were observed participating in individual activities around the setting.</p>	Compliant

Pictures of the HCBS setting

